



Grafton Affordable Housing Trust
30 Providence Road
Grafton, MA 01519

Meeting Minutes
Grafton Affordable Housing Trust
Thursday, September 9, 2021

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A meeting of the Grafton Affordable Housing Trust was held at 7:45 PM on September 9, 2021, in Conference Room A of the Grafton Memorial Municipal Center. In attendance: Chair Bruce Spinney, Clerk Dan Cusher, Mathew Often (remote), Ed Priby (remote), Eric Swenson (remote). Absent: Treasurer Elisabeth Haynes. Staff in attendance: Town Planner Chris McGoldrick. Guests in attendance: None. Mr. Spinney called the meeting to order at 7:59 PM.

1. Action Items

- a. Resignation - Mr. Spinney announced that Dan Crossin resigned from the Trust. Mr. Spinney said he hopes some of the people who applied recently will still be interested and the Trust can have that seat filled soon.
- b. Reorganization of Officers (Treasurer)
 - Mr. Spinney said he thinks the Trust should rotate this position. Since Ms. Haynes wasn't present, Mr. Spinney asked for someone to volunteer to take that role. It primarily involves getting the bills paid and probably will take about an hour per month. Mr. Often volunteered. **Mr. Cusher moved to appoint Mr. Often as Treasurer, Mr. Prisby seconded, passed unanimously by roll call.**
- c. 25 Worcester St - Project update and strategy
 - Mr. Spinney gave an update. Mr. Spinney spoke with the Select Board (SB) to inform them that the Trust wants to remove the age restriction. It would be a simple article. The Trust would need to record a new deed with the new language, removing the old language. Mr. Spinney asked the SB for two placeholder articles, one for this and one for the Hudson Ave property. Mr. Spinney said that SB member Doreen Defazio asked during the SB meeting why the Housing Production Plan didn't cover that demographic data needed to justify counting age-restricted units toward the Subsidized Housing Inventory (SHI). Mr. Spinney told the SB that it did, but it doesn't provide enough data to demonstrate a disproportionate need for any demographic. Mr. Prisby asked who said the HPP doesn't provide that data. Mr. Spinney said he couldn't find any community with that distinction. Mr. Prisby said the relevant Department of Housing and Community Development (DHCD) memo is dated 2018, and that Massachusetts is statistically one of the most expensive states to grow old in. Mr. Prisby doesn't know if DHCD has told any community what would actually be good

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enough to justify it. Mr. Prisby said doing it without counting toward SHI is a serious option to consider, but he's also interested in trying to get DHCD to approve the units for SHI.

- **Mr. Prisby arrived in-person at the meeting at 8:15 PM.**
- Mr. Swenson agreed with what Mr. Prisby said, that the Trust should try to get as much flexibility as possible from Town Meeting, and then try with DHCD if that fails
- Mr. Cusher said it would be worth discussing at a later date potentially working with the Grafton Housing Authority to develop the property for them.
- Mr. Spinney recognized meeting attendee Ron Warwick, 32 Worcester St: Mr. Warwick asked what the wording on the deed restriction was. Mr. Spinney said that the warrant article is attached to the deed specifying what could be developed there, specifically "senior" housing. Mr. Spinney noted that the Trust only has one meeting to decide this, due to the timing with Town Meeting.
- Mr. Spinney recognized meeting attendee Justin Hollander, 4 Hillside Ave: Mr. Hollander is surprised that the Trust is considering taking the restriction off of 25 Worcester St. He said he was under the impression that the Trust was going to focus on other projects and their impact on SHI. Mr. Hollander asked what changed and how the Trust is planning to talk about it in October.
- Mr. Spinney said at the beginning of the year that he wants the Trust to have as many options as possible for these opportunities, which means asking Town Meeting to consider removing the restriction.
- Mr. Spinney said he met with the Grafton Housing Authority in the Spring this year, but they didn't find any particular way to get them to build new infrastructure, given that they answer to the State and the State doesn't seem interested in that. With that in mind, the pathway for 25 Worcester St is likely going to be a partnership with something private, whether it's a for-profit developer or a non-profit like Habitat for Humanity.
- As for a Town Meeting article, Mr. Spinney recommends as simple as possible, and if the Town Meeting voters don't want it, the Trust will consider the remaining options after that point. The Trust needs to decide tonight whether to move forward with it.
- Mr. Spinney recognized meeting attendee Jess Itzkowitz, 18 Worcester St: Ms. Itzkowitz said that at the previous meeting, 17 Upton St sounded like it was going to go forward. Ms. Itzkowitz asked whether 25 Worcester St will also still move forward. Mr. Spinney said it likely will, but 17 Upton St will change the dynamic of what the Trust decides to look at for the 25 Worcester St property. Mr. Prisby gave a brief explanation of subsidized housing inventory, Chapter 40B, and how getting to 10% SHI gives the Town more control over where to put housing and what it will look like. Ms. Itzkowitz asked if people would have a say in design options. Mr.

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Prisby said if the Trust goes with a Local Initiative Program, the Trust and the Zoning Board of Appeals (ZBA) will go through a design process that ZBA needs to approve. It will include architectural decisions and appearances. Members of the public are entitled to have their voices heard in public hearings during the process.

- **Mr. Prisby moved to direct counsel to draft a warrant article for the Trust's review that would be submitted to Town Meeting to remove the age restriction on the 25 Worcester St deed, Mr. Cusher seconded, passed unanimously by roll call.**

d. 53 Millbury St AKA Hudson Ave Project

- Mr. Spinney told the SB that the Trust had not discussed this yet but might bring an article related to this to the October Town Meeting. Mr. Spinney feels it's premature to do it in October. Mr. Prisby asked why. Mr. Spinney said the language is tricky and he worries that the Trust might not get the required information to defend it at Town Meeting. Mr. Prisby asked if Mr. Spinney is worried about the optics of it, Mr. Spinney said no, but it might be difficult to answer some questions by October, such as where the cemetery will go instead.
- Mr. O'Brien said he would like to see the Trust get clarification of what can be done at 25 Worcester, and what the Trust's priorities and short to medium term strategy is before looking to get another property to develop.
- Mr. Swenson asked what the Trust has to lose or gain from winning or losing the article. Mr. Spinney said there isn't much at stake because the Trust wouldn't develop it any time in the near future. Mr. Swenson said he doesn't see a compelling reason to do it now. Mr. Prisby said the more the Trust artificially limits its own actions, the slower it goes, but he's not sure if the Trust can get the case in favor set up in time.
- Mr. Cusher said there's an adversarial aspect to this. The Trust has a problem of not enough affordable housing, while the Cemetery Commission doesn't have any problem of not enough cemetery space. If the Trust gets this land, the Trust is solving its own problem by creating a new problem for the Cemetery Commission. The Trust has an obligation to help solve that new problem in a way that moves the whole town forward rather than moving one piece of the Town forward and another backward, if possible.
- Bill Hanley, Brigham Hill Rd - Mr. Hanley pointed out that 53 Millbury actually has three pieces: the Town brush dump, the cemetery land, and another piece of land across Hudson Ave. Mr. Hanley asked why the Trust isn't going after the part across the street. Mr. Spinney said that piece of land to the west of Hudson Ave is protected under Article 97 as Town Forest. Changing the use of that land would require going through the State Legislature. The rest of the land is not restricted that way.

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- e. GSX Projects (17 Upton St, 8 Pine St) - Update on communication with GSX and strategy and negotiation of possible assistance
- Mr. Spinney wants to go over any questions on strategy and ideas. He said the Trust will need to go on the Trust's own process separate from but coordinated with the Town's process, which will be tricky but doable.
 - Mr. Spinney explained what soft costs are and why the Trust helping with them is beneficial to a company like GSX, that they're early costs that are typically very expensive and hard to find investors to cover. A deal with GSX would include both soft costs paid by the Trust and a TIF provided by Town Meeting.
 - Mr. McGoldrick says they'll very likely go through the planning board using local zoning, not a 40B comprehensive permit. Mr. Prisby asked how many units are going in. Mr. Often said 146 units. Mr. Prisby clarified that what the Trust is getting in exchange for soft costs is an increase in affordable units to 25%, from 14 affordable units to 39, resulting in all 146 units counting toward the Town's SHI. Mr. Prisby asked how much money the Trust would be paying. Mr. Spinney said somewhere between \$850k and \$950k, and that it would likely go through a grant process and the Trust would not get the money back out of the project, as that's not the goal of the Trust.
 - Mr. Prisby said the Trust will likely want input from Counsel on this. Mr. Prisby asked if this is a phased project. Mr. McGoldrick said probably not. Mr. Prisby said if it is phased, the Trust would want to see affordable units in each phase.
 - Mr. Spinney said they would submit receipts and invoices as they come in and the Trust would pay out the money accordingly. The other component is that the project will still go through a public vetting process that the Trust can help manage. GSX will need that help from the Trust, beyond just the money.
 - Mr. Spinney said the project will probably be between three and five years, so whatever processes the Trust puts in place should last longer than Trust members' two-year terms.
 - Mr. Spinney wants a subcommittee, maybe two or three members, who can meet with GSX so that he's not the only person talking to GSX.
 - Mr. Prisby said he's interested in serving on the subcommittee but wants the Trust to make sure there's a security measure for the money just in case the project falls through.
 - Mr. Often agrees that the Trust should investigate how to address the Trust's risk.
 - Mr. Swenson said he's interested in serving on the subcommittee as well.
 - **Mr. Cusher moved that the Trust create the 17 Upton Street Technical Subcommittee, and authorize the chair to appoint members to it, Mr. Prisby seconded passed unanimously by roll call**

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- **Mr. Spinney appointed himself, Mr. Prisby, Mr. Swenson to the committee**
 - **Mr. Prisby moved that the 17 Upton Street Technical Subcommittee's charge be for the extent to which the Trust needs to negotiate with GSX and the Town, Mr. Often seconded, passed unanimously by roll call.**
 - **Mr. Often asked whether the GSX proposal includes the post office property and the adjacent duplex home property. Mr. McGoldrick said the proposal does not include those, that those were just mentioned as possible areas of expansion.**
 - **Mr. Often asked how confident the \$850 to \$950 soft costs are. Mr. Spinney said he chose that range based on a few things: to ensure that the Trust has enough money to pursue other projects as well; to reach the range of where GSX's realistic numbers would be, which GSX said was around \$3m for engineering, permitting, and survey work; and to protect the Trust's ability to collateralize and protect the Trust's position based on what the land value would be at that point, until GSX secured funding and the project could move forward.**
- f. Meeting Minutes**
- **Mr. Often moved to accept the minutes for the meeting on August 12, 2021, as presented. Mr. Prisby seconded. Motion passed by roll call: Cusher aye, Spinney aye, Prisby aye, Swenson abstain, Often aye.**
- 2. Discussion Items**
- a. Skipped**
- 3. Items not reasonably anticipated by the Chair 48 hours in advance of the meeting**
- a. Attendance**
- **Mr. Spinney said the Trust is getting to the point where serious money is being spent and the Trust needs to ensure a quorum for planned meetings.**
 - **Mr. Spinney noted that the Trust has two-year terms, but they're poorly staggered, with Mr. Spinney up for reappointment in 2022 and the other five appointed seats up in 2023. This means five out of seven members of the Trust could change at once. Mr. Spinney said that with Dan Crossin leaving, the SB could appoint someone for just one year, up for renewal in 2022, helping to better stagger the terms. Mr. Spinney suggested this to the SB as his own personal opinion and would like to draft such an opinion from the Trust to be approved at a future meeting.**
- 4. Adjournment**
- a. Mr. Prisby moved to adjourn. Mr. Often seconded. Motion passed unanimously by roll call.**

Approved by the Affordable Housing Trust: December 9, 2021